

ADE DAILY NEWS CLIPS

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Newly Passed Bill Could Bring More Bibles Into Classrooms (KARK, Channel 4)

LITTLE ROCK, AR - The Arkansas House approved Monday a bill that paves the way for academic study of the Bible in public schools.

"It is not a religious endorsement," says UA law professor Steve Sheppard.

Sheppard has studied the bill and says it abides by any separation of church and state constitutional limits.

"By saying that the state allows the study of religious text without endorsing a religion, or without entangling the state or it's teachers in the indoctrination of one religion as opposed to others," Sheppard says.

He adds that the language in the bill also points to the fact that text from any religious book, not just the bible, would be allowed.

"In order to ensure that the students of this state are well educated and are appropriately prepared to deal with the world in which religious texts are a part, a very important part, of our culture," Sheppard says.

Currently bibles, or any other holy scriptures for that matter, are perfectly legal to be on school grounds.

Sheppard says educators 'cross the line' only if they endorse an environment where students are pressured toward a certain religion.

"I think this does balance appropriately the needs of the state to educate it's students on sensitive and controversial matters."

Walking a fine line between teaching...and preaching.

"It's hard to talk about God, and not have a controversy these days," Sheppard says.

The bill would have to pass in the Senate, as well as get approval from the governor before it became law.

Legislative summary (Arkansas Democrat-Gazette)

LITTLE ROCK — This is a summary list of bills (by bill number, lead sponsor and title) introduced through Monday in the 89th General Assembly, except for appropriation bills, which, along with other bills and resolutions, may be found at the legislative website: www.arkleg.state.ar.us

HOUSE

HB1388, Holcomb - An act to repeal certain outdated laws concerning county bridges.

HB1389, Holcomb - Concerning the minimum bid amount under contracts for state aid roads.

HB1390, Sabin - To create the Arkansas Distributed Generation Act.

HB1391, Sabin - To prohibit the import, possession, sale, transfer, and breeding of nonhuman primates, except by qualified facilities; and to protect public safety and prohibit mistreatment of nonhuman primates.

HB1392, Magie - To amend the law concerning the eligibles list for civil service commissions for municipal police and fire departments.

HB1393, Baltz - To amend the law concerning certain county and municipal public finance matters.

HB1394, Fielding - To make our roads safer by providing for education and testing concerning distracted driving; and to ensure deterrence from texting while driving by increasing the related penalties.

HB1395, Williams - To amend the law concerning the Capitol Zoning District Commission.

Notable Resolutions HR1014, Word - To honor Willie Kavanaugh Hocker as the creator of the Arkansas state flag; to commemorate the 100th anniversary of the Arkansas state flag; and to support an appropriate memorial in Wabbaseka, Ark.

HR1015, D. Meeks - To congratulate the University of Central Arkansas Bears football team for an outstanding 2012 season and for continuing excellence in academics.

SENATE

SB342, Teague - An act to authorize fund transfers to pay state and local sales and use taxes for the purchase of state vehicles; and to declare an emergency.

SB343, K. Ingram - To prevent election misconduct; to amend the law concerning absentee ballots, assistants, designated bearers, and administrators; and to clarify the procedures for casting and counting of absentee ballots.

SB356, Files - To amend Act 70 of the 2011 Acts of Arkansas to provide that franchises and contractual branding agreements are permitted; and to declare an emergency.

SB357, Files - To permit additional chemical tests for the offenses of driving while intoxicated and related offenses; and concerning driver's licenses, commercial driver's licenses and hunting licenses.

SB358, B. Sample - To extend the expiration date for the Arkansas Voluntary Enhanced Security Driver's License and Identification Card Act and to declare an emergency.

SB359, B. Sample - To make technical corrections to the Arkansas Code concerning the suspension of driving privileges for minor in possession of alcohol.

SB360, B. Sample - To re-create the State Board of Cosmetology; and to declare an emergency.

Notable Resolutions SR12, J. Hendren - To urge Congress to return certain funds to Arkansas if Arkansas does not participate in the proposed Medicaid expansion.

Calendar (Arkansas Democrat-Gazette)

LITTLE ROCK — This is a calendar of public events of the 89th General Assembly for Tuesday, the 37th day of the 2013 legislative session.

HOUSE

10 a.m. Education, Room 138 10 a.m. Judiciary, Room 149 10 a.m. Revenue and Taxation, Room 151 10 a.m. Public Health, Welfare and Labor, Room 130 1:30 p.m. House convenes.

SENATE

10 a.m. State Agencies and Governmental Affairs, Old Supreme Court chambers 10 a.m. City, County and Local Affairs, Room 272 10 a.m. Insurance and Commerce, Room 171 1:30 p.m. Senate convenes. 10 minutes after adjournment, Agriculture, Forestry and Economic Development, Room 309

ALSO

9 a.m. Joint Budget Committee, Multi-Agency Complex, Room A

Sylvan Hills' lockdown a false alarm, police say (Arkansas Democrat-Gazette)

LITTLE ROCK — Sylvan Hills Middle School administrators put their campus on a two-hour lock down after they heard that there might have been a gunman near the school Monday morning.

No classes were held on George Washington's Birthday and Daisy Gatson Bates Day, but about 60 teachers and staff members were at the 10001 Johnson Drive campus for professional development. They were moved into the school's gymnasium once reports came in that there could be an armed suspect near campus, according to Deb Roush, spokesman for the Pulaski County Special School District.

Roush said the lock down, which started at about 10:30 a.m., ended two hours later, and that staff members continued their professional development while in the school gymnasium.

Sherwood Police Department spokesman Lt. Jamie Michaels said officers went to the campus after an assistant principal called 9-1-1 to report a possible gunman nearby.

Officers set up a perimeter and searched the area, Michaels said, but found no indication there was a gunman.

"Until we can confirm it's not a call for service, there's not a person there with a gun, we will treat [the call] as such," Michaels said. "We're treating it as a valid call until it's not."

According to Michaels and Roush, no school employee saw a gunman. Rather, the report caught the attention of the assistant principal when someone on the school's radio system said something about a nearby gunman.

Within minutes of a call to Sherwood police that Roush said was made as a "precaution," staff members moved to the gymnasium, which has no first-floor windows, and police started their search.

Roush said that the middle school hasn't faced a weapons threat in at least four years but that the lock down procedure is well known by teachers and other staff members.

Michaels said they have yet to figure out who made the initial broadcast and have not ruled it out as a prank. The call remained under investigation Monday afternoon.

"[Calls to schools] don't come in very often, but you always hope for a good [police] response," Michaels said. "Anything could happen at anytime."

Follow-up calls to Michaels were not returned.

Education post gets 16th hopeful (Arkansas Democrat-Gazette)

LITTLE ROCK — The Arkansas Department of Higher Education said Wednesday it has received another application for the director's job.

The application came from Randy Jerry, a Sherwood man who works in medical equipment sales, according to his resume.

Jerry has a bachelor's degree in business administration from Ouachita Baptist University, according to his resume.

The application is the 16th the department has received since former Director Jim Purcell left in February 2011 to lead higher education efforts in Louisiana. Some applicants have withdrawn.

Interim Director Shane Broadway, a former state senator and current deputy director who has since led the agency, does not meet the statutory requirements for the position.

Once considered a favorite for the director's position, Broadway withdrew his name from the search because of family concerns shortly before Attorney General Dustin McDaniel issued an opinion requested by Republican lawmakers.

Field to lead LR schools narrows to 4 (Arkansas Democrat-Gazette)

LITTLE ROCK — The Little Rock School Board on Monday selected four out-of-state educators to interview for the Little Rock School District superintendent's job.

They are Connie Hathorn of Copley, Ohio; Walter Milton Jr. of Springfield, Ill.; Stefanie Phillips of Jonesboro, Ga.; and Dexter Suggs of Indianapolis. Hathorn is the superintendent of the Youngstown, Ohio, public schools. Milton is superintendent of the Springfield public school system. Phillips is deputy superintendent of the Clayton County, Ga., public schools. And Suggs is the chief of staff in the Indianapolis public school system.

Each finalist will be invited to Little Rock for a day of meetings with district employees, community leaders, the general public and ultimately the School Board. The interview days will be Feb. 25, 26 and 27 and March 4.

The four finalists were recommended to the Little Rock board Monday evening by the McPherson & Jacobson search firm that is assisting in finding a replacement for Superintendent Morris Holmes. Holmes' contract, which provides an annual salary of \$215,000, expires June 30.

The McPherson & Jacobson firm is receiving \$21,500 plus expenses for its work with the district.

The four were selected from a pool of nine applicants for the job. Sadie Mitchell, assistant superintendent for elementary education in the Little Rock district and the only Arkansas applicant for the job in the 25,000-student

district, was not among those recommended by the consultants, nor was she selected by the board to be interviewed.

Loe Dunn, the lead consultant on the Little Rock search, told the board that the firm vetted each of the nine applicants not only by talking to each applicant's listed references but also by getting references from those listed as references and then seeking out additional people who could talk about an applicant's abilities.

"There is a difference between vetting and Googling," Dunn told the board.

"We looked at your criteria and your preferences. That's how we vetted the candidates - according to the criteria you established," Dunn said. "We are not telling you who to hire, but these [four] are the people you should have a conversation with to see if they fit the needs of the Little Rock School District."

Criteria called for the candidates to have a doctorate, experience in urban districts and the ability to use best practices to affect student achievement, among other qualifications.

The board met in executive session for more than two hours to discuss the recommended candidates before reconvening in public to vote 7-0, with little discussion, to accept the recommended applicants for interviews.

Board President Dianne Curry said at a break in the meeting that the board is seeking a "seasoned" person for the job and that the selected applicants fit that bill because two are superintendents and the other two are serving at or very near the top in large districts that are currently without permanent superintendents.

"They would definitely be good candidates to interview," she said.

Of the four, Milton - superintendent of the 15,537-student Springfield district since 2007 - is the finalist with the most superintendent experience. He also is the only one to become a finalist for the job for the second time. Milton was one of three finalists named for the Little Rock job in 2011 when the board was seeking a replacement for Linda Watson. However, Milton withdrew his application before he was interviewed, citing his and his family's renewed commitment to Springfield.

Milton grew up and attended high school in Rochester, N.Y. His doctorate is from the University at Buffalo in New York. Before taking his current post, he was a superintendent in Flint, Mich., and in the Fallsburg Central School District in New York. Newspaper articles from his current and former districts about contentious hires under his watch and even a foreclosure on a home he couldn't sell have circulated in Little Rock. Curry said those accounts were addressed by the consultants to the extent that the board felt he was worthy of being interviewed.

"We did get a clearer understanding about those negatives," Curry said, adding that "the public needs to know that you can't always believe everything is written. There's evidence that has been presented."

Milton, Hathorn and Suggs could not be reached for comment Monday night at their homes, offices or on cell phones. Home and cell-phone numbers were not available Monday night for Phillips.

Hathorn, has been superintendent of the 5, 600-student Youngstown City School District since 2010. He was previously executive director of student support in the Akron City School District, a district in Ohio where he worked for 19 years.

He has a doctorate in educational administration from the University of Iowa. A native of Mississippi, he was a high school principal in 1989 to 1991 in Darlington County, S.C.

Suggs started his education career in 1994 in the 31, 000-student Indianapolis system, where he has been chief of staff since last July. He was previously chief information officer. He is a former high school and middle school principal, a former speech communications teacher and a former athletic coach.

Suggs is a veteran of the Persian Gulf War. His doctorate is from Indiana Wesleyan University.

Phillips has been deputy superintendent in the 51,898-student Clayton County, Ga., system since 2009. She previously was deputy student for two years and associate superintendent for one year in the 34,000-student Chino Valley, Calif., public schools. She has also worked in other California districts.

Phillips' doctorate is from the University of Southern California.

House OKs reduction of lottery scholarships (Arkansas Democrat-Gazette)

LITTLE ROCK — A bill restructuring the Arkansas Academic Challenge Scholarship program handily cleared the state House of Representatives, and a bill prohibiting abortions after 20 weeks of gestation won the approval of the Arkansas Senate on Monday.

The scholarship bill passed 69-21. Lawmakers approved the anti-abortion legislation 25-7.

On the 36th day of the session, lawmakers also considered bills to limit the annual growth of state government and eliminate the statute of limitations for certain sex offenses involving children.

Rep. Jeremy Gillam, R-Judsonia, told representatives that his legislation overhauling the scholarship program, House Bill 1295, would help avoid projected funding shortfalls in the program.

"We all know that there is significant deficiencies in the monetary funds that are available for this, and that's where this originally came about," Gillam said.

Under the bill, first-time scholarship recipients at four year schools would receive \$2,000 as freshmen, \$3,000 as sophomores, \$4,000 as juniors and \$5,000 as seniors, starting in the 2013-14 school year. Students at two-year colleges would get \$2,000 a year for both years.

Currently, students who were first awarded scholarships in the 2010-11 school year receive \$5,000 a year to attend universities and \$2,500 a year for community and technical colleges. Students who were first awarded the scholarships in the 2011-12 or 2012-13 school years get \$4,500 a year and \$2,250, respectively. Those amounts would not change under the bill if the students remain eligible.

State Department of Higher Education officials project that the scholarship program will have the cash needed to make the scholarship payments to students through fiscal 2018 if the bill passes, assuming the lottery raises \$90 million a year for scholarships.

But Rep. Mark Perry, D-Jacksonville, and co-chairman of the Legislature's lottery oversight committee, said the bill would limit the choices of students who want to attend four-year schools.

"Changing that scholarship amount would drastically impact ... middle-income kids as far as their choices to attend a four-year university," Perry said.

Perry and Rep. Darrin Williams, D-Little Rock, who previously served on the lottery oversight committee, asked members to vote against the bill.

"My concern is we're not being consistent with what the people asked us to do" in 2008 when they approved the constitutional amendment that authorized a state lottery for college scholarships, Williams said.

In December, the lottery oversight committee recommended that the Legislature cut the amounts of scholarships for first-time recipients to \$3,300 a year at the universities and \$1,650 a year at the two-year colleges.

The bill now goes to the Senate.

FETAL PAIN

Also at the Capitol Monday, the Senate approved House Bill 1073 by Rep. Andy Mayberry, R-Hensley, which would ban abortions after 20 weeks of gestation, when some doctors say a fetus can feel pain.

The Senate version of the bill goes back to the House.

The Senate version includes an exception in cases of rape or incest. The version passed by the House didn't have these exemptions.

Both versions of the bill allow abortions to save the mother's life or to prevent her major bodily functions from being irreversibly damaged.

The bill would make it a class D felony to perform an abortion at 20 or more weeks after fertilization. It also states a doctor who performs an abortion after 20 weeks should do it in a way that gives the fetus an opportunity to survive, though it does not explain that process.

A class D felony is punishable by up to six years in prison, a fine of up to \$10,000 or both.

According to the Arkansas Department of Health, 48 of the 4,033 abortions performed in the state in 2011 occurred at or after 20 weeks.

The bill's Senate sponsor - state Sen. Bart Hester, R-Cave Springs - told senators that he believes that the bill is constitutional.

"We are saying viability is at 20 weeks when a child feels pain," he said.

But state Sen. Linda Chesterfield, D-Little Rock, said she believes that's contrary to past U.S. Supreme Court rulings. The court's 1973 Roe v. Wade decision said the state can prohibit abortion after the fetus is viable, unless the procedure is needed to protect the pregnant woman's life or health.

Responding to claims that the anti-abortion law might contradict Roe v. Wade, Hester said, "That's possible." He later noted that seven states have similar laws, including Arizona, where the law has been upheld in federal court and has been appealed to the 9th U.S. Circuit Court of Appeals.

"I just want to be clear that each one of these child's lives is equal to ours, and what we are trying to do is to get a child's rights equal to that of their mother," he said.

State Sen. Joyce Elliott, D-Little Rock, said the bill "is not about whether we are for or against abortion."

“This is about every family having that right to have to make their own unthinkable, unspeakable decisions” in rare cases, she said. “And I am begging you to think about women as people with real brains and real decision making power.”

Twenty-one Republican senators and four Democratic senators voted for the legislation.

Seven Democrat senators voted against it; three other Democrats didn’t vote.

Sens. David Johnson of Little Rock, Keith Ingram of West Memphis, Uvalde Lindsey of Fayetteville, Stephanie Flowers of Pine Bluff, and David Wyatt of Batesville, and Chesterfield and Elliott voted against the bill; Sens. David Burnett of Osceola, Eddie Cheatham of Crossett, and Bobby Pierce of Sheridan didn’t vote.

OTHER HOUSE BUSINESS

In other business, the House rejected a proposed amendment to House Bill 1041, which would limit the growth of general-revenue spending to a maximum of 3 percent a year.

The bill’s sponsor, Rep. Bruce Westerman, R-Hot Springs, asked the House to approve the amendment to specify that the expenditures mentioned in the bill were expenditures of net general revenue available for distribution - not gross revenue. Forty nine representatives voted for Westerman’s amendment, while 42 opposed it. Nine didn’t vote. The amendment needed 51 votes to pass.

Westerman said this type of amendment - brought by a bill’s sponsor - is usually approved as a “courtesy.” Since the House voted it down, Westerman said he’ll now ask the Revenue and Taxation Committee to approve the amendment and send the bill back to the House for consideration.

The Revenue and Taxation Committee approved HB1041 in its original form on Feb. 12.

The House also voted 83-0 in favor of Senate Bill 92, proposed by Sen. Jimmy Hickey, R-Texarkana, to remove the statute of limitations for certain sex crimes that involve children. The bill was sent to the governor.

Under current law, prosecutors cannot file charges for several crimes if the victims were minors at the time of the offense and have reached the age of 28.

McELROY TO RETURN

Rep. Mark McElroy, D-Tillar, who suffered a “medical episode” on the chamber floor on Friday, said he’ll return to the House this week.

McElroy delivered an incoherent speech from the well on Friday before Rep. Jeremy Gillam, the Judsonia Republican, escorted him to his seat.

“I want to thank my fellow members for coming to my aid Friday morning and everyone who has sent their well wishes and concerns,” McElroy said in a statement released Monday. “Doctors have made a diagnosis for a non-life threatening condition. I truly regret the timing of the incident. However, I am now receiving proper treatment and doctors are confident this will prevent any future episodes.”

Additional information about McElroy’s condition was not available Monday afternoon. McElroy did not return calls seeking comment.